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PRIORITY

(Security Classification)

FOREIGN SERVICE DESPATCH

FROM : American Embassy, Tokyo

241

DESP. NO.

TO : THE DEPARTMENT OF STATE, WASHINGTON.

REF : A-557, May 13, 1958; G-2, July 9, 1958

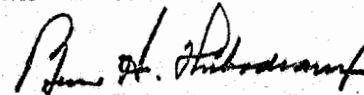
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SUBJECT: Reciprocal Rights of Ownership of Interests in Mining Corporations

The enclosed memorandum has been received from the Foreign Office in response to the Embassy's request for information about the treatment accorded United States citizens and corporations under "Japanese custom, law or regulation" regarding the granting of mineral leases in Japan.

For the Ambassador:



Ben H. Thibodeaux

Minister for Economic Affairs

Enclosure:

Memorandum No. 915/EAM
(Original)

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY *[Signature]* DATE *9-20-58*

RDS ☐ or XDS ☐ EXT. DATE _____

TS AUTH. _____ REASON(S) _____

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INP 3-1958

Letter to Interior
dated 8/11/58
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SEP 3 0 1958

Enclosure No. 1
Desp. 241
From: Tokyo

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Rm/R

THE GAIMUSHO

No. 915/EAM

MEMORANDUM

Article 17 of Mining Act provides that no one other than the Japanese citizen or Japanese juridical person shall become mining right owner, provided that this shall not apply when otherwise provided for by treaty. This provision shall similarly apply to mining lease (Article 87). Consequently alien or juridical person that is not incorporated under Japanese laws concerned is not entitled to become mining right owner or to lease mining right.

Any Japanese juridical person that is incorporated under the provisions of Japanese laws concerned is entitled to become mining right owner or to lease mining right, even if such juridical person is controlled by Americans through the acquisition of substantial part of stocks or represented by Americans.

Americans are allowed to acquire stocks of Japanese juridical person that has mining right. The procedure regarding the acquisition of stocks by foreigners is stipulated in Article 11 of "Law concerning Foreign Investment".



August 15, 1958.